

DAWN MICHELLE MEARS)
)
v.) NO. 3-15-1077
) JUDGE CAMPBELL
CROSS PLAINS, TENNESSEE)

Pending before the Court is Defendant's Motion to Dismiss Count I of Second Amended Complaint (Docket No. 16), to which Plaintiff has filed a Response (Docket No. 19). Defendant's Motion is GRANTED.

Plaintiff does not disagree. *See* Docket No. 19. Accordingly, any claim by Plaintiff against Defendant for a constitutional violation is DISMISSED. The paragraphs headed Count I in Plaintiff's Second Amended Complaint shall be construed simply as facts alleged and not a separate basis for liability.

Todd Campbell
TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE